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TECHNOLOGY CENTER R3700

Bart S. Hersko 32,572  
Name of Attorney Registration No.  
*Bart S. Hersko*  
Signature of Attorney

#10  
2/24

Case 7606R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :  
**YUZHAKOV ET AL.** :  
Serial No.: 09/580,819 : Group Art Unit: 3762  
Filed: May 26, 2000 : Examiner: Michael M. Thompson  
Confirmation No. 9337  
For: **INTRACUTANEOUS MICRONEEDLE ARRAY APPARATUS**

**RESPONSE TO RESTRICTION AND  
ELECTION OF CLAIMS REQUIREMENTS**

Box Non-Fee Amendment  
Assistant Commissioner for Patents  
Washington, D. C. 20231

Dear Sir:

In an Office Action mailed on January 14, 2003 the Examiner states that Applicants' reply filed on October 30, 2002 was not fully responsive to the prior Office Action. However, the Examiner acknowledges that "Applicant has elected one sub-species and claims readable thereon." The Examiner goes on to state that "Applicant failed to provisionally indicate which species Applicant elects." In response to the Examiner's statement, Applicant hereby elects Species A as illustrated in Figure 33. The sub-species of hollow microneedle claims readable on Species A include 2-7 and 14-19. In other words, Applicant hereby elects Species A with the sub-species of hollow microneedles. The claims readable on this species and sub-species which are hereby elected for prosecution on the merits include claims 2-7 and 14-19.

### Conclusion

Applicants have made an earnest effort to respond to the Examiner's Office Action. In the event that the Examiner has any other issues with respect to Applicants' response to the Restriction Requirement, the Examiner is invited to call Applicants' undersigned attorney at (513) 634-9135.

Respectfully submitted,

VADIM V. YUZHAKOV, et al.

By Bart S. Hersko

Bart S. Hersko  
Attorney for Applicants  
Registration No. 32,572  
(513) 634-9135

February 7, 2003  
Customer Number 27752

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BART S. HERSKO 32,572  
 Name of Attorney/Agent Registration No.  
Bart S. Hersko  
 Signature of Attorney



IN THE UNITED STATES PATENT & TRADEMARK OFFICE  
 RESPONSE/AMENDMENT

Case Docket No. 7606R

Box Non-Fee Amendment  
 ASSISTANT COMMISSIONER FOR PATENTS  
 Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an AMENDMENT for the patent application:

Inventor(s): Yuzhakov et al. Confirmation No. 9337

Serial No.: 09/580,819 Group Art Unit: 3762

Date Filed: May 26, 2000 Examiner: Michael M. Thompson

Title: Intracutaneous Microneedle Array Apparatus

1. ☒ No additional fee is known to be required.
2. ☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	*	MINUS	**	=	x \$18 =	\$
INDEP.	*	MINUS	***	=	x \$84 =	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$280 =	\$
					TOTAL	\$0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.

\*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

3. ☐ The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$ for a -month extension of time.
4. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
  - a. ☒ Any patent application processing fees under 37 CFR §1.16.
  - b. ☒ Any patent application processing fees under 37 CFR §1.17.
5. The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

Bart S. Hersko

Bart S. Hersko  
 Attorney for Applicant(s)  
 Registration No. 32,572  
 Tel. No. (513) 634-9135

February 7, 2003  
 Customer No. 27752

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